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SENATE BILL 349  
43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997  
INTRODUCED BY  
BEN D. ALTAMIRANO

AN ACT  
RELATING TO MOTOR VEHICLES; IMPOSING A HIGHWAY USER FEE;  
REPEALING THE WEIGHT DISTANCE TAX ACT; AMENDING AND REPEALING  
SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-1-6.10 NMSA 1978 (being Laws 1983,  
Chapter 211, Section 15, as amended) is amended to read:

"7-1-6.10. DISTRIBUTIONS--STATE ROAD FUND. -- ~~[A.]~~ A  
distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made  
to the state road fund in an amount equal to the net receipts  
attributable to the taxes, surcharges, penalties and interest  
imposed pursuant to the Gasoline Tax Act and to the taxes,  
surtaxes, fees, penalties and interest imposed pursuant to the  
Special Fuels Tax Act, the Special Fuels Supplier Tax Act and  
the Alternative Fuel Tax Act less:

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1           ~~[(1)]~~ A. the amount distributed to the state  
2 aviation fund pursuant to Subsection B of Section 7-1-6.7 NMSA  
3 1978;

4           ~~[(2)]~~ B. the amount distributed to the motorboat  
5 fuel tax fund pursuant to Section 7-1-6.8 NMSA 1978;

6           ~~[(3)]~~ C. the amount distributed to municipalities  
7 and counties pursuant to Subsection A of Section 7-1-6.9 NMSA  
8 1978;

9           ~~[(4)]~~ D. the amount distributed to the county  
10 government road fund pursuant to Section 7-1-6.19 NMSA 1978;

11           ~~[(5)]~~ E. the amount distributed to the local  
12 governments road fund pursuant to Section 7-1-6.39 NMSA 1978;

13           ~~[(6)]~~ F. the amount distributed to the  
14 municipalities pursuant to Section 7-1-6.27 NMSA 1978; and

15           ~~[(7)]~~ G. the amount distributed to the municipal  
16 arterial program of the local governments road fund pursuant to  
17 Section 7-1-6.28 NMSA 1978.

18           ~~[B. A distribution pursuant to Section 7-1-6.1 NMSA~~  
19 ~~1978 shall be made to the state road fund in an amount equal to~~  
20 ~~the net receipts attributable to the taxes, fees, interest and~~  
21 ~~penalties from the Weight Distance Tax Act.] "~~

22           Section 2. Section 7-15-3.1 NMSA 1978 (being Laws 1943,  
23 Chapter 125, Section 12, as amended) is amended to read:

24           "7-15-3.1. TRIP TAX--COMPUTATION. --

25           A. For the purpose of providing funds for the

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1 construction, maintenance, repair and reconstruction of this  
2 state's public highways, a use fee, to be known as the "trip  
3 tax", is imposed in lieu of registration fees and the ~~weight~~  
4 ~~distance tax~~ highway user fee on the registrant, owner or  
5 operator of any foreign-based commercial motor carrier vehicle  
6 that is:

7 (1) not registered in this state under  
8 interstate registration;

9 (2) not registered in this state under  
10 proportional registration;

11 (3) not subject to a valid reciprocity  
12 agreement;

13 (4) not registered as a foreign commercial  
14 motor carrier vehicle under short-term registration;

15 (5) not registered under an allocation of  
16 one-way rental fleet vehicles; and

17 (6) not exempted from registration and the  
18 payment of any registration fees and not exempted from the  
19 payment of the trip tax under Section 65-5-3 NMSA 1978.

20 B. Except as provided otherwise in Subsections C and  
21 D of this section, the trip tax shall be computed as follows:

22 (1) when the gross vehicle weight or  
23 combination gross vehicle weight exceeds twelve thousand pounds  
24 but does not exceed twenty-six thousand pounds, five cents  
25 (\$.05) a mile for mileage to be traveled on the public highways

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1 within New Mexico, measured from the point of entering the state  
2 to the point of destination or place of leaving the state;

3 (2) when the gross vehicle weight or  
4 combination gross vehicle weight exceeds twenty-six thousand  
5 pounds and does not exceed fifty-four thousand pounds, nine  
6 cents (\$.09) a mile for mileage to be traveled on the public  
7 highways within New Mexico, measured from the point of entering  
8 the state to the point of destination or place of leaving the  
9 state;

10 (3) when the gross vehicle weight or  
11 combination gross vehicle weight exceeds fifty-four thousand  
12 pounds and does not exceed seventy-two thousand pounds, eleven  
13 cents (\$.11) a mile for mileage to be traveled on the public  
14 highways within New Mexico, measured from the point of entering  
15 the state to the point of destination or place of leaving the  
16 state; [and]

17 (4) when the gross vehicle weight or  
18 combination gross vehicle weight exceeds seventy-two thousand  
19 pounds, twelve cents (\$.12) a mile for mileage to be traveled on  
20 the public highways within New Mexico, measured from the point  
21 of entering the state to the point of destination or place of  
22 leaving the state; and

23 (5) regardless of the gross vehicle weight or  
24 combination gross vehicle weight, any vehicle that is unable to  
25 declare at the time of entering the state its point of

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1 destination or place of leaving the state shall be charged a fee  
2 of sixty-five dollars (\$65.00) allowing travel within or through  
3 the state for a period of forty-eight hours from the time the  
4 fee is paid.

5 C. The department, by regulation, shall establish a  
6 procedure for the issuance of prepaid trip permits for ~~[(1)]~~  
7 trips by a single vehicle or a fleet of vehicles for the purpose  
8 of ~~[(a)]~~ custom harvesting operations or ~~[(b)]~~ the  
9 transportation of goods or passengers between the state and  
10 Mexico ~~[or~~

11 ~~(2) any vehicle that is unable to declare at~~  
12 ~~the time of entering the state the point of destination or place~~  
13 ~~of leaving the state].~~

14 D. Prepaid trip permits established pursuant to  
15 Subsection C of this section shall be sold in increments of no  
16 less than ~~[fifty dollars (\$50.00)]~~ one hundred dollars (\$100).  
17 Any portion not used prior to ~~[one year]~~ six months from the  
18 date of issuance shall not be refundable. Prepaid trip permits  
19 shall not be transferable between a registrant, owner or  
20 operator and another registrant, owner or operator. Charges  
21 against the prepaid trip permit shall be based on the  
22 computations specified in Subsection B of this section. "

23 Section 3. Section 66-6-4 NMSA 1978 (being Laws 1978,  
24 Chapter 35, Section 339, as amended by Laws 1994, Chapter 117,  
25 Section 20 and also by Laws 1994, Chapter 126, Section 20) is

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1 amended to read:

2 "66-6-4. REGISTRATION AND HIGHWAY USER FEES--TRUCKS, TRUCK  
3 TRACTORS, ROAD TRACTORS AND BUSES. --

4 A. [~~Within their respective jurisdictions, the motor~~  
5 ~~vehicle and motor transportation divisions]~~ The department shall  
6 charge registration fees and highway user fees for trucks, truck  
7 tractors, road tractors and buses, except as otherwise provided  
8 by law, according to the schedule of [~~Subsection]~~ Subsections B  
9 and C of this section.

10	B. [ <del>Declared]</del> <u>Gross Vehicle Weight</u>	<u>Registration</u>
11	<u>Rating or Combination Gross</u>	<u>Fee</u>
12	<u>Vehicle Weight Rating</u>	
13	001 to 4,000	\$ 30
14	4,001 to 6,000	41
15	6,001 to 8,000	52
16	8,001 to 10,000	63
17	10,001 to 12,000	74
18	12,001 to 14,000	85
19	14,001 to 16,000	96
20	16,001 to 18,000	107
21	18,001 to 20,000	118
22	20,001 to 22,000	129
23	22,001 to 24,000	140
24	24,001 to 26,000	151
25	26,001 to 48,000	88.50

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1	48,001 and over	129.50.
2	<u>C. Gross Vehicle Weight</u>	<u>Highway User</u>
3	<u>Rating or Combination Gross</u>	<u>Fee</u>
4	<u>Vehicle Weight Rating</u>	
5	<u>26,001 to 28,000</u>	\$ <u>199</u>
6	<u>28,001 to 30,000</u>	<u>260</u>
7	<u>30,001 to 32,000</u>	<u>302</u>
8	<u>32,001 to 34,000</u>	<u>343</u>
9	<u>34,001 to 36,000</u>	<u>385</u>
10	<u>36,001 to 38,000</u>	<u>426</u>
11	<u>38,001 to 40,000</u>	<u>468</u>
12	<u>40,001 to 42,000</u>	<u>509</u>
13	<u>42,001 to 44,000</u>	<u>551</u>
14	<u>44,001 to 46,000</u>	<u>593</u>
15	<u>46,001 to 48,000</u>	<u>635</u>
16	<u>48,001 to 50,000</u>	<u>676</u>
17	<u>50,001 to 52,000</u>	<u>718</u>
18	<u>52,001 to 54,000</u>	<u>808</u>
19	<u>54,001 to 56,000</u>	<u>897</u>
20	<u>56,001 to 58,000</u>	<u>987</u>
21	<u>58,001 to 60,000</u>	<u>1,077</u>
22	<u>60,001 to 62,000</u>	<u>1,167</u>
23	<u>62,001 to 64,000</u>	<u>1,257</u>
24	<u>64,001 to 66,000</u>	<u>1,347</u>
25	<u>66,001 to 68,000</u>	<u>1,437</u>

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1	<u>68,001 to 70,000</u>	<u>1,527</u>
2	<u>70,001 to 72,000</u>	<u>1,617</u>
3	<u>72,001 to 74,000</u>	<u>1,707</u>
4	<u>74,001 to 76,000</u>	<u>1,797</u>
5	<u>76,001 to 78,000</u>	<u>1,887</u>
6	<u>78,001 to 80,000</u>	<u>2,185.</u>

7           ~~[C.]~~ D. After five years of registration, calculated  
8 from the date when the vehicle was first registered in this or  
9 another state, all trucks ~~[whose declared gross weight or]~~ whose  
10 gross vehicle weight rating is ~~[less than]~~ twenty-six thousand  
11 pounds or less ~~[after five years of registration, calculated~~  
12 ~~from the date when the vehicle was first registered in this or~~  
13 ~~another state]~~ shall be charged registration fees at eighty  
14 percent of the rate set out in Subsection B of this section.

15           ~~[D.]~~ E. All trucks with a gross vehicle weight  
16 rating of more than twenty-six thousand pounds and all truck  
17 tractors and road tractors used to tow ~~[freight trailers]~~ any  
18 freight trailer or other vehicle shall be ~~[registered]~~ charged  
19 registration fees and highway user fees on the basis of  
20 combination gross vehicle weight rating.

21           ~~[E.]~~ F. All trucks with a gross vehicle weight  
22 rating of twenty-six thousand pounds or less ~~[which]~~ that are  
23 designed to or that tow any freight trailer or other vehicle  
24 shall be ~~[registered]~~ charged registration fees and highway user  
25 fees on the basis of combination gross vehicle weight rating.

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1 Any freight trailer [~~semi-trailer or pole trailer~~] towed by a  
2 truck of such gross vehicle weight rating shall be classified as  
3 a utility trailer for registration purposes unless otherwise  
4 provided by law.

5 [F.] G. All farm vehicles having a [~~declared~~] gross  
6 vehicle weight rating of more than six thousand pounds shall be  
7 charged registration fees of two-thirds of the rate of the  
8 respective fees provided in [~~this section~~] Subsection B. shall  
9 not be charged the highway user fee specified in this section  
10 and shall be issued distinctive registration plates. "Farm  
11 vehicle" means any vehicle owned by a person whose principal  
12 occupation is farming or ranching and which vehicle is used  
13 principally in the transportation of farm and ranch products to  
14 market and farm and ranch supplies and livestock from the place  
15 of purchase to farms and ranches in this state; provided that  
16 the vehicle is not used for hire.

17 H. All trucks having a gross vehicle weight rating  
18 or combination gross vehicle weight rating of more than twenty-  
19 six thousand pounds that operated less than forty-five thousand  
20 miles on all highways during the twelve-month period ending on  
21 June 30 of the calendar year preceding the registration year  
22 shall be charged a highway user fee of thirty percent of the  
23 applicable rate specified in Subsection C of this section.

24 I. All trucks having a gross vehicle weight rating  
25 or combination gross vehicle weight rating of more than twenty-

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1 six thousand pounds that operated empty of all load for forty-  
2 five percent or more of all miles operated during the twelve-  
3 month period ending on June 30 of the calendar year preceding  
4 the registration year shall be charged a highway user fee of  
5 thirty-four percent of the applicable rate specified in  
6 Subsection C of this section. The rate reduction provided in  
7 this subsection is in addition to the rate reduction provided in  
8 Subsection H of this section.

9 [G-] J. In addition to other registration fees  
10 imposed by this section, beginning July 1, 1994, there is  
11 imposed at the time of registration an annual tire recycling fee  
12 of one dollar (\$1.00) on each vehicle subject to a registration  
13 fee pursuant to this section, except for vehicles with a  
14 [declared] gross vehicle weight rating of greater than  
15 twenty-six thousand pounds upon which registration fees are  
16 imposed by Subsection B of this section.

17 [H-] K. Four percent of the registration [fees of]  
18 fee provided in Subsection B of this section for trucks having a  
19 [declared] gross vehicle weight rating from twenty-six thousand  
20 one pounds to forty-eight thousand pounds [declared-gross  
21 vehicle weight] is to be transferred to the tire recycling fund  
22 pursuant to the provisions of Section 66-6-23 NMSA 1978.

23 [I-] L. Five percent of the registration [fees of]  
24 fee provided in Subsection B of this section for trucks in  
25 excess of forty-eight thousand pounds [declared] gross vehicle

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1 weight rating is to be transferred to the tire recycling fund  
2 pursuant to the provisions of Section 66-6-23 NMSA 1978. "

3 Section 4. Section 66-6-23 NMSA 1978 (being Laws 1978,  
4 Chapter 35, Section 358, as amended) is amended to read:

5 "66-6-23. DISPOSITION OF FEES. --

6 A. After the necessary disbursements for refunds and  
7 other purposes have been made, the money remaining, except for  
8 remittances received within the previous two months that are  
9 unidentified as to source or disposition, shall be distributed  
10 as follows:

11 (1) to each ~~municipality~~, county or fee agent  
12 operating a motor vehicle field office, an amount equal to six  
13 dollars (\$6.00) per driver's license and three dollars (\$3.00)  
14 per identification card, registration or title transaction  
15 performed;

16 (2) to each ~~municipality~~ or county, other than  
17 a class A county with a population in excess of three hundred  
18 thousand or a ~~municipality~~ with a population in excess of three  
19 hundred thousand within a class A county, operating a motor  
20 vehicle field office, an amount equal to fifty cents (\$.50) for  
21 each administrative service fee remitted by that county or  
22 ~~municipality~~ to the department pursuant to the provisions of  
23 Section 66-2-16 NMSA 1978;

24 (3) to the state road fund:

25 (a) an amount equal to one-half of each

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1 fee received from motorcycle endorsements; ~~and~~

2 (b) the remainder of each driver's  
3 license fee collected by the department employees from an  
4 applicant to whom a license is granted after deducting from the  
5 driver's license fee the amount of the distribution authorized  
6 in Paragraph (1) of this subsection with respect to that  
7 collected driver's license fee; and

8 (c) an amount equal to the highway user  
9 fee collected pursuant to Subsection C of Section 66-6-4 NMSA  
10 1978;

11 (4) to the local governments road fund, the  
12 amount of the fees provided for in Subsection A of Section  
13 66-5-408 NMSA 1978;

14 (5) to the division:

15 (a) an amount equal to one-half of each  
16 fee received from motorcycle endorsements;

17 (b) an amount equal to two dollars  
18 (\$2.00) of each motorcycle registration fee collected pursuant  
19 to Section 66-6-1 NMSA 1978; and

20 (c) an amount equal to the fees provided  
21 for in Subsection C of Section 66-5-44 NMSA 1978 and Subsection  
22 B of Section 66-5-408 NMSA 1978;

23 (6) to the state equalization guarantee  
24 distribution made annually pursuant to the general appropriation  
25 act, an amount equal to one hundred percent of the driver safety

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1 fee collected pursuant to Section 66-5-44 NMSA 1978;  
2 (7) to the rubberized asphalt fund, forty-five  
3 percent of all tire recycling fees collected pursuant to the  
4 provisions of Sections 66-6-1, 66-6-2, 66-6-4, 66-6-5 and 66-6-8  
5 NMSA 1978; and

6 (8) to the tire recycling fund, the amount  
7 remaining, after distributions pursuant to Paragraph (7) of this  
8 subsection have been made to the rubberized asphalt fund, of all  
9 annual tire recycling fees collected pursuant to the provisions  
10 of Sections 66-6-1, 66-6-2, 66-6-4, 66-6-5 and 66-6-8 NMSA 1978.

11 B. The balance, exclusive of unidentified  
12 remittances, after having been reduced by the distributions  
13 required by Subsection A of this section, shall be further  
14 reduced by a distribution of forty-three percent of the balance  
15 to the state road fund, and the remainder of the balance shall  
16 be transferred or distributed by the state treasurer on or  
17 before the last day of the month next after its receipt, as  
18 follows:

19 (1) forty-one and three-tenths percent shall be  
20 distributed to the state road fund;

21 (2) seventeen and six-tenths percent shall be  
22 transferred to each county in the proportion, determined by the  
23 department in accordance with Subsection C of this section, that  
24 the registration fees for vehicles in that county are to the  
25 total registration fees for vehicles in all counties;

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1                   (3) seventeen and six-tenths percent shall be  
2 transferred to the counties, each county receiving an amount  
3 equal to the proportion, determined by the secretary of highway  
4 and transportation in accordance with Subsection E of this  
5 section, that the mileage of public roads maintained by the  
6 county is to the total mileage of public roads maintained by all  
7 counties of the state. Amounts distributed to each county in  
8 accordance with this paragraph shall be credited to the  
9 respective county road fund and be used for the improvement and  
10 maintenance of the public roads in the county and to pay for the  
11 acquisition of rights of way and material pits. For this  
12 purpose, the board of county commissioners of each of the  
13 respective counties shall certify by April 1 of each year to the  
14 secretary of highway and transportation the total mileage as of  
15 April 1 of that year; provided that in their report, the boards  
16 of county commissioners shall identify each of the public roads  
17 maintained by them by name, route and location. By agreement  
18 and in cooperation with the state highway and transportation  
19 department, the boards of county commissioners of the various  
20 counties may use or designate any of the funds provided in this  
21 paragraph for any federal aid program;

22                   (4) nine and four-tenths percent shall be  
23 allocated among the counties in the proportion, determined by  
24 the department in accordance with Subsection C of this section,  
25 that the registration fees for vehicles in that county are to

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1 the total registration fees for vehicles in all counties. The  
2 amount allocated to each county shall be transferred to the  
3 incorporated municipalities within the county in the proportion,  
4 determined by the department of finance and administration in  
5 accordance with Subsection C of this section, that the sum of  
6 net taxable value, as that term is defined in the Property Tax  
7 Code, plus the assessed value, as that term is used in the Oil  
8 and Gas Ad Valorem Production Tax Act and in the Oil and Gas  
9 Production Equipment Ad Valorem Tax Act, determined for the  
10 incorporated municipality is to the sum of net taxable value  
11 plus assessed value determined for all incorporated  
12 municipalities within the county. Amounts transferred to  
13 incorporated municipalities under the provisions of this  
14 paragraph shall be used for the construction, maintenance and  
15 repair of streets within the municipality and for payment of  
16 paving assessments against property owned by federal, county or  
17 municipal governments. In any county in which there are no  
18 incorporated municipalities, the amount allocated under this  
19 paragraph shall be transferred to the county road fund and used  
20 in accordance with the provisions of Paragraph (3) of this  
21 subsection; and

22 (5) fourteen and one-tenth percent shall be  
23 allocated among the counties in the proportion, determined by  
24 the department in accordance with Subsection C of this section,  
25 that the registration fees for vehicles in that county are to

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1 the total registration fees for vehicles in all counties. The  
2 amount allocated to each county shall be transferred to the  
3 county and incorporated municipalities within the county in the  
4 proportion, determined by the department of finance and  
5 administration in accordance with Subsection C of this section,  
6 that the computed taxes due for the county and each incorporated  
7 municipality within the county bear to the total computed taxes  
8 due for the county and incorporated municipalities within the  
9 county. For the purposes of this paragraph, the term "computed  
10 taxes due" for any jurisdiction means the sum of the net taxable  
11 value, as that term is defined in the Property Tax Code, plus  
12 the assessed value, as that term is used in the Oil and Gas Ad  
13 Valorem Production Tax Act and in the Oil and Gas Production  
14 Equipment Ad Valorem Tax Act, for that jurisdiction multiplied  
15 by an average of the rates for residential and nonresidential  
16 property imposed for that jurisdiction pursuant to Subsection B  
17 of Section 7-37-7 NMSA 1978.

18 C. To carry out the provisions of this section,  
19 during the month of June of each year:

20 (1) the department shall determine and certify  
21 to the department of finance and administration the proportions  
22 [which] that the department is required to determine by  
23 Subsection B of this section using information for the preceding  
24 calendar year on the number of vehicles registered in each  
25 county based on the address of the owner or place where the

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1 vehicle is principally located, the registration fees for the  
2 vehicles registered in each county, the total number of vehicles  
3 registered in the state and the total registration fees for all  
4 vehicles registered in the state; and

5 (2) the department of finance and  
6 administration shall determine the proportions that the  
7 department of finance and administration is required to  
8 determine by Subsection B of this section based upon the net  
9 taxable value, as that term is defined in the Property Tax Code,  
10 and assessed value, as that term is used in the Oil and Gas Ad  
11 Valorem Production Tax Act and the Oil and Gas Production  
12 Equipment Ad Valorem Tax Act, for the preceding tax year and the  
13 tax rates imposed pursuant to Subsection B of Section 7-37-7  
14 NMSA 1978 in the preceding September.

15 D. By June 30 of each year, the department of  
16 finance and administration shall determine the appropriate  
17 percentage of money to be transferred to each county and  
18 municipality for each purpose in accordance with Subsection A of  
19 this section based upon the proportions determined by or  
20 certified to the department of finance and administration. The  
21 percentages determined shall be used to compute the amounts to  
22 be transferred to the counties and municipalities during the  
23 succeeding fiscal year.

24 E. The board of county commissioners of each of the  
25 respective counties shall, by April 1 of every year, certify

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1 reports to the secretary of highway and transportation of the  
2 total mileage of public roads maintained by each county as of  
3 April 1 of every year; provided that in their reports, the  
4 boards of county commissioners shall identify each of the public  
5 roads maintained by them by name, route and location. By July 1  
6 of every year, the secretary of highway and transportation shall  
7 verify the reports of the counties and revise, if necessary, the  
8 total mileage of public roads maintained by each county and the  
9 mileage verified by the secretary of highway and transportation  
10 shall be the official mileage of public roads maintained by each  
11 county. Distribution of amounts to any county for road purposes  
12 shall be made in accordance with this section.

13 F. If a county has not made the required mileage  
14 certification pursuant to Section 67-3-28.3 NMSA 1978 by April 1  
15 of any year, the secretary of highway and transportation shall  
16 estimate the mileage maintained by those counties for the  
17 purpose of making distribution to all counties, and the amount  
18 calculated to be distributed each month to those counties not  
19 certifying mileage shall be reduced by one-third each month for  
20 that fiscal year and that amount not distributed to those  
21 counties shall be distributed equally to all counties that have  
22 certified mileages.

23 G. The secretary shall review, at the end of each  
24 fiscal year, the aggregate total of motor vehicle transactions  
25 performed by each municipality, county or fee agent operating a

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1 motor vehicle field office, and for each office exceeding ten  
2 thousand aggregate transactions per year, that municipality,  
3 county or fee agent shall be paid an additional one dollar  
4 (\$1.00) per identification card, driver's license, registration  
5 or title transaction performed during the next fiscal year."

6 Section 5. TEMPORARY PROVISION--CONTINUITY OF ACTIONS. --

7 A. All taxes due but unpaid under the Weight  
8 Distance Tax Act on the effective date of this act remain due  
9 until paid or until a final determination is made that the taxes  
10 are not due.

11 B. Any protests, claims for refund, court  
12 proceedings or other actions ongoing with respect to the  
13 provisions of the Weight Distance Tax Act on the effective date  
14 of this act shall be finally determined with respect to the  
15 applicable provisions of the Weight Distance Tax Act.

16 Section 6. REPEAL. --Sections 7-15A-1 through 7-15A-10 NMSA  
17 1978 (being Laws 1988, Chapter 73, Sections 28 through 35, Laws  
18 1978, Chapter 35, Section 365, and Laws 1988, Chapter 24,  
19 Section 9, as amended) are repealed.

20 Section 7. EFFECTIVE DATE. --The effective date of the  
21 provisions of this act is January 1, 1998.

1 FORTY-THIRD LEGISLATURE  
2 FIRST SESSION, 1997  
3  
4

5 February 11, 1997  
6

7 Mr. President:  
8

9 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to  
10 whom has been referred  
11

12 SENATE BILL 349  
13

14 has had it under consideration and reports same with  
15 recommendation that it DO PASS, and thence referred to the  
16 FINANCE COMMITTEE.  
17

18 Respectfully submitted,  
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23 Roman M. Maes, III, Chairman  
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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

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Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: None

Excused: Robinson, Maes

Absent: None

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Underscored material = new  
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1 FORTY-THIRD LEGISLATURE  
2 FIRST SESSION, 1997

SB 349/a

5 February 27, 1997

7 Mr. President:

9 Your FINANCE COMMITTEE, to whom has been referred

11 SENATE BILL 349

13 has had it under consideration and reports same with  
14 recommendation that it DO PASS, amended as follows:

16 1. On page 19, between lines 15 and 16, insert the  
17 following new section:

18 "Section 6. TEMPORARY PROVISION--REVIEW OF ADEQUACY OF RATE  
19 SCHEDULE. --During calendar year 2000, the taxation and revenue  
20 department is directed to review the rate schedule established for  
21 the highway user fee and to report the results of that review to  
22 the revenue stabilization and tax policy committee for their  
23 consideration in determining whether legislation is required to  
24 make upward or downward adjustments to the rate schedule."  
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**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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SFC/SB 349

Page 23

2. Renumber the succeeding sections accordingly.

Respectfully submitted,

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Ben D. Altamirano, Chairman

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**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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SFC/SB 349

Page 24

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Carraro, Eisenstadt, Ingle, McKibben, Romero

Absent: None

SB0349FC1

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# State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

March 11, 1997

Mr. Speaker:

Your TRANSPORTATION COMMITTEE, to whom has been referred

SENATE BILL 349, as amended

has had it under consideration and reports same WITHOUT RECOMMENDATION, and thence referred to the TAXATION AND REVENUE COMMITTEE.

Respectfully submitted,

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Daniel P. Silva, Chairman

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HTC/SB 349, aa

Page 26

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 5 Against

Yes: 7

No: Carpenter, Larranaga, Parsons, Russell, W. C. Williams

Excused: None

Absent: None

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Underscored material = new  
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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

SB 349/a

February 27, 1997

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

SENATE BILL 349

has had it under consideration and reports same with  
recommendation that it DO PASS, amended as follows:

1. On page 19, between lines 15 and 16, insert the  
following new section:

"Section 6. TEMPORARY PROVISION--REVIEW OF ADEQUACY OF RATE  
SCHEDULE. --During calendar year 2000, the taxation and revenue  
department is directed to review the rate schedule established for  
the highway user fee and to report the results of that review to  
the revenue stabilization and tax policy committee for their  
consideration in determining whether legislation is required to  
make upward or downward adjustments to the rate schedule."

2. Renumber the succeeding sections accordingly.

Respectfully submitted,

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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SFC/SB 349

Page 28

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Ben D. Altamirano, Chairman

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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SFC/SB 349

Page 29

Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Carraro, Eisenstadt, Ingle, McKibben, Romero

Absent: None

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Underscored material = new  
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